

Message Text

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ACTION L-02

INFO OCT-01 EUR-12 ISO-00 SCA-01 JUSE-00 ARA-06 FS-01

ABF-01 TRSE-00 SY-05 FBIE-00 SIG-01 PER-01 VO-03 /034 W

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O P 191528Z MAY 75

FM AMEMBASSY LONDON

TO AMEMBASSY MANAGUA IMMEDIATE

INFO SECSTATE WASHDC PRIORITY 1222

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E.O. 11652:N/A

TAGS: AFIN, NU

SUBJECT: EXTRADITION: EMBEZZLEMENT OF EMBASSY MANAGUA
IMPREST FUNDS

REF: MANAGUA 1905

1. ONCE PROVISIONAL ARRESTS OF ROGER ARTURO AMADOR PEREIRA AND JOSE DE LA CRUZ ESOINOZA GONZALEZ ARE EXECUTED ON WARRANTS ISSUED BY LONDON BOW STREET COURT MAGISTRATE, A TIME LIMIT OF NORMALLY ONE MONTH WILL BE SET BY MAGISTRATE FOR SUBMISSION BY NICARAGUAN AUTHORITIES OF PRELIMINARY DOCUMENTS REQUIRED BY BRITISH HOME SECRETARY TO ISSUE ORDER TO PROCEED WITH CASE.

PRELIMINARY DOCUMENTS INCLUDE FOLLOWING: (A) ORIGINAL WARRANT OR WARRANTS OF ARREST (B) FORMAL EVIDENCE OF IDENTITY OF PERSONS SOUGHT (C) A STATEMENT OF THE FACTS OF THE OFFENSE OR OFFENSES FOR WHICH EXTRADITION IS REQUESTED (D) THE TEXT OF THE LAW DEFINING THAT OFFENSE, PRESCRIBING THE MAXIMUM PUNISHMENT FOR THAT OFFENSE, IMPOSING ANY TIME LIMITS ON THE INSTITUTION OF PROCEEDINGS FOR THAT OFFENSE AND A STATEMENT THAT THE OFFENSE FOR WHICH EXTRADITION IS REQUESTED CONSTITUTES A FELONY UNDER THE LAW OF NICARAGUA. IF ORDER IS NOT REPEATED NOT ISSUED WITHIN TIME LIMIT SET BY COURT, FUGITIVES MAY BE DISCHARGED. DOCUMENTS SHOULD BE SUBMITTED BY

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NICARAGUAN AUTHORITIES THROUGH ITS LONDON EMBASSY TO

BRITISH FOREIGN OFFICE.

2. ONCE ORDER TO PROCEED IS ISSUED BY HOME SECRETARY, NICARAGUAN AUTHORITIES WILL HAVE FURTHER TWO MONTHS TIME LIMITATION IN WHICH TO SUBMIT COMOLETE EVIDENCE TO SUPPORT EXTRADITION REQUEST AND JUSTIFY FUGITIVES' COMMITTAL.

3. AS FOR INFORMATION REGARDING TYPES OF EVIDENCE REQUIRED FOR SUCCESSFUL EXTRADITION REQUEST UNDER BRITISH LAW ON CHARGES INDICATED, EMBASSY UNABLE TO OBTAIN EXPLICIT ADVICE FROM COMOETENT SOURCE WITHOUT FULL PARTICULARS ON FACTS AND CIRCUMSTANCES SURROUNDING CASE.

SUBSTANTIATING EVIDENCE TO CLEARLY DEMONSTRATE THAT PERSON ACCUSED COULD BE ONLY PERSON WHO COULD HAVE TAKEN FUNDS AND TO CLEARLY ELIMINATE ALL OTHERS. SUCH EVIDENCE WOULD DOUBTLESS CONSIST OF, BUT NOT NECESSARILY LIMITED TO, DEPOSITIONS FROM PERTINENT WITNESSES.

4. WHILE BEST SOURCE OF COMPETENT ADVICE ON EVIDENTIAL REQUIREMENT WILL BE BRITISH SOLICITOR SELECTED TO REPRESENT NICARAGUAN GOVERNMENT, EMBASSY IS PREPARED TO ASSIST IN ANY WAY IT CAN TO BRING CASE TO SUCCESSFUL CONCLUSION.

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TAGS: AFIN, PFOR, NU, (MADOR PEREIRA, ROGER ARTURO), (ESOINAZA GONZALEZ, JOSE DE LA CRUZ)
To: MANAGUA
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